

House Republican Press Release

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Rep. Ward Says State Must Act in Eminent Domain Cases in Wake of Supreme Court Decision in Kelo



House Minority Leader Robert M. Ward said Connecticut must now act to prevent wrongful property seizures in the wake of today's landmark split U.S. Supreme Court decision that went against the residents of New London in the so-called Kelo case.

"It's never been clearer that state lawmakers must step forward to protect the rights of property owners because the U.S. Supreme Court won't," said the North Branford lawmaker who has been the legislature's leading proponent on property owners' rights. "The legislation that I have put forth would clearly define the manner in which government may seize property. It must be for the public good, not some ill-defined, private economic development effort that may or may not come to fruition and produce tax revenue."

Ward this session submitted a bill that received a public hearing in March. Under the proposal, it would be illegal to seize single-family homes under eminent domain and then turn them over to private entities who would profit. Majority lawmakers declined to move forward on the bill while the Kelo case was pending before the high court.

Now that the court has acted, Ward said, it is time for the state to move forward on the issue. "This decision does not obviate the state's obligation to act to preserve individual property rights. It has exactly the opposite effect," Ward said.

Ward agreed with dissenting Justice Sandra Day O'Connor who, in writing for the minority, said that this decision would give undue influence and power to the wealthiest at the expense of individual homeowners.

"We've seen an entire community, families that have lived their entire lives in this neighborhood in New London, uprooted so that a private developer can potentially reap millions. We're not talking about taking property to build schools or roads or improve the infrastructure that clearly provide a public benefit," he added. "They've seized property to line the pockets of a developer."